

Message Text

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64

ACTION VOE-00

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R 092012Z DEC 74
FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC 1363

UNCLAS SANTIAGO 7467

E.O. 11652: N/A
TAGS: CVIS, CI
SUBJECT: VISAS: INQUIRY FROM CHURCH WORLD SERVICE

REF: STATE 264521

1. IT IS NOT REPEAT NOT TRUE, AS ALLEGED BY CWS, THAT
EMBASSY'S CONSULAR SECTION IS ENFORCING SOME "NEW DISPOSITION"
WHICH RESULTS IN VISAS ONLY FOR THE WEALTHY.

2. CONSULAR SECTION HAS ALWAYS PREDICATED ITS NON-
IMMIGRANT VISA DECISIONS ON REQUIREMENTS OF INA THAT APPLI-
CANTS HAVE RESIDENCE THEY DO NOT INTEND TO ABANDON. ECONOMIC
CRITERIA ARE, NATURALLY, AMONG THOSE CONSIDERED IN ATTEMPTING
TO DETERMINE WHETHER APPLICANTS HAVE REAL -- BUT USUALLY NOT
EXPRESSED -- INTENTION OF ABANDONING RESIDENCE IN CHILE AND
REMAINING INDEFINITELY IN U.S. CONSULAR OFFICERS HAVE PAID
SPECIAL ATTENTION TO FACTORS GIVEN IN NOTE 2.1 OF 9 FAM,
PART II, 22 CRF 41.25.

3. INEVITABLY, ECONOMIC FACTORS HAVE ASSUMED GREATER
IMPORTANCE IN NIV DECISIONS DURING PAST YEAR BECAUSE OF
DIFFICULT ECONOMIC SITUATION IN CHILE. INFLATION IS RUNNING AT ANNUAL
RATE OF 350 PERCENT, WAGES ARE NOT KEEPING UP WITH PRICE
INCREASES, AND RESULTING PINCH IS BEING FELT MOST AT LOWER-
AND LOWER-MIDDLE INCOME LEVELS. IT IS ALSO PERSONS AT
THESE INCOME LEVELS WHO HAVE MOST CONSISTENT RECORD OF OVERSTAYS
AND WORKING IN U.S. THUS, NIV REFUSAL RATE AMONG THIS GROUP
IS ADMITTEDLY HIGHER THAN AMONG HIGHER INCOME GROUPS WHO STILL
HAVE GOOD LIFE IN CHILE AND THUS HAVE SOMETHING TO RETURN TO.
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4. ALTHOUGH IT DEFINITELY NOT REPEAT NOT OUR POLICY TO REFUSE YOUNG PROFESSIONALS AND STUDENTS AS A GROUP OR CLASS, IT IS POSSIBLE THAT SOME HAVE BEEN REFUSED EVEN IF "ALL THEIR EXPENSES COVERED." BASIS OF REFUSAL WOULD HAVE BEEN 214(B) OR 101(A) (15) RATHER THAN 212(A)(15) BECAUSE THEY ARE OFTEN JUDGED TO BE INTENDING IMMIGRANTS RATHER THAN LIKELY PUBLIC CHARGES.

5. CONSOFFS CAN THINK OF NUMEROUS OCCASIONS IN WHICH PERSONS OF MODEST MEANS, WHOSE EXPENSES WERE COVERED, WERE ISSUED VISAS BECAUSE CONSOFF FELT THEY DID HAVE MOTIVATION TO RETURN TO CHILE AFTER TEMPORARY VISIT IN U.S. ON OTHER HAND, WE HAVE HAD NUMEROUS CASES -- SOME OF WHICH RESULTED IN COMPLAINTS FROM WELL-SITUATED FRIENDS AND RELATIVES -- OF WELL-OFF APPLICANTS WHO WERE REFUSED PRECISELY BECAUSE CONSOFFS DETECTED INTENTION TO REMAIN INDEFINITELY IN U.S.

6. WE BELIEVE CHURCH WORLD SERVICE COMPLAINT IS REALLY WITH U.S. IMMIGRATION LAW AND RELATED ENFORCEMENT REQUIREMENTS STEMMING FROM ECONOMIC SITUATION IN CHILE, RATHER THAN WITH ANY IMAGINED "NEW DISPOSITION" BEING ENFORCED BY EMBASSY'S CONSULAR OFFICERS.
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